

MAR 14 2005

Fee Only

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lee, *et al.* Docket No.: TSM03-0587
Serial No: 10/657,616 Art Unit: 2813
Date Filed: September 8, 2003
Title: Semiconductor Structure having a Strained Region and a Method of Fabricating Same

PRELIMINARY AMENDMENT AND PROVISIONAL ELECTION

In response to Examiner's Restriction Requirement mailed February 14, 2005, Applicants herein amend claim 22, provisionally elect claims 22 - 38 for prosecution with traverse, and provide the below grounds for withdrawal of Examiner's restriction requirement.

03/18/2005 CPARIS 00000002 501065 10657616
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PATENT APPLICATION FEE DETERMINATION RECORD		Application or Docket Number
December 8, 2004		101657616
Substitute for Form PTO-875		

CLAIMS AS FILED - PART I			SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE		RATE	FEE
BASIC FEE (37 CFR 1.16(a))				\$ 395	OR		\$ 790
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 =	*	x \$ 25 =		OR	x \$ 50 =	
INDEPENDENT CLAIMS (37 CFR 1.16(b))	minus 3 =	*	x \$ 100 =		OR	x \$ 300 =	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))			+ \$ 180		OR	+ \$ 360	
			TOTAL		OR	TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2.

CLAIMS AS AMENDED - PART II						SMALL ENTITY		OR	OTHER THAN SMALL ENTITY		
AMENDMENT A	(Column 1)	CLAIMS REMAINING AFTER AMENDMENT	(Column 2)	HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3)	PRESENT EXTRA	RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
	Total (37 CFR 1.16(c))	59	Minus	59	=		x \$ 25 =		OR	x \$ 50 =	
	Independent (37 CFR 1.16(b))	7	Minus	6	= 1		x \$ 100 =		OR	x \$ 300 =	\$ 200
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))						+ \$ 180 =		OR	+ \$ 360 =	
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE		

						SMALL ENTITY		OR			
AMENDMENT B	(Column 1)	CLAIMS REMAINING AFTER AMENDMENT	(Column 2)	HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3)	PRESENT EXTRA	RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
	Total (37 CFR 1.16(c))	*	Minus	**	=		x \$ 25 =		OR	x \$ 50 =	
	Independent (37 CFR 1.16(b))	*	Minus	***	=		x \$ 100 =		OR	x \$ 300 =	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))						+ \$ 180 =		OR	+ \$ 360 =	
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE		

						SMALL ENTITY		OR			
AMENDMENT C	(Column 1)	CLAIMS REMAINING AFTER AMENDMENT	(Column 2)	HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3)	PRESENT EXTRA	RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
	Total (37 CFR 1.16(c))	*	Minus	**	=		x \$ 25 =		OR	x \$ 50 =	
	Independent (37 CFR 1.16(b))	*	Minus	***	=		x \$ 100 =		OR	x \$ 300 =	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))						+ \$ 180 =		OR	+ \$ 360 =	
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE		

- * If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
- The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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